



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
P.O. Box 8044
Madison, Wisconsin 53708-8044
TTY: Contact Through Relay
Jim Doyle, Governor
Richard Leinenkugel, Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 57
Comm #: 53581-0674-77-A
BRRTS #: 03-53-000536
Site Name: Broadbent Oil
Site Address: 177 E Gage St, Richland Center, 53581
Site Manager: Alan A. Hopfensperger
Bid Manager: Alan A. Hopfensperger
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 266-0562
e-mail: Alan.Hopfensperger@Wisconsin.Gov

Bid-Start Date:	October 13, 2008
Questions must be received by (See Section 2 (B)):	October 27, 2008, 4:00 PM
Responses will be posted by (See Section 2 (B)):	November 14, 2008
Bid-End Date and Time:	November 28, 2008, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Xer-Lith Printing-Madison, 131 W Wilson St, Madison, WI 53703
Phone: (608) 257-8900 Fax: (608) 257-8900

SECTION 2 – Site-Specific Bid Requirements

General Comments

The petroleum release from the former Broadbent Oil Company site is co-mingled with the releases from a neighboring LUST site and is located only 10 miles from another active LUST site that recently completed site investigation activities. Therefore, the additional remediation and groundwater monitoring activities at the Broadbent Oil site must be combined with the remediation and groundwater monitoring activities at the Bill's Service Station site (BRRTS# 03-24-000136, Commerce #53581-2801-10) and the Jax Property site (BRRTS# 03-53-235613, Commerce #53540-9999-29). The bidder with the lowest costs for the three sites, combined, will be selected as the winning bidder.

Broadbent Oil Company operated on land leased from Foremost Farm USA from 1983 through 2000. Broadbent Oil operated a bulk petroleum facility and sold unleaded gasoline and diesel fuel from two 2,000 gallon UST's (removed September 28, 2001). All aboveground and underground petroleum storage tanks have been removed from the site. The site was converted to a gravel parking lot in May 2001. In order to install the gravel parking lot the top 16 inches of soil was removed from within and surrounding the UST containment area. The overall dimensions of the excavated area was about 100'x130'x16"d (Light shaded area on the attached map). In addition a 16'x23'x4'd (Dark shaded area on attached map) soil excavation was also performed to remove soil contamination exceeded NR746 Table 2 standards. The soil analytical results collected after completing the excavation activities and the recent soil borings installed indicated that a large volume of highly contaminated soil still remain on-site surrounding the former AST containment area. In addition, the soil and GW analytical results collected from the former UST and dispenser area also indicates highly contaminated soil present after removal.

The most recent round of groundwater sampling was collected on October 18, 2005. The depth to groundwater occurs at this site between 10 -12 feet (below ground surface (bgs) and the groundwater elevations collected to date indicate groundwater flows to the southwest toward the Pine River.

Minimum Remedial Requirements

This is a bid for the following work scope of activities necessary. This is not a bid to closure.

Multiple petroleum releases have occurred at the former Broadbent Oil Company site; therefore two separate soil remediation activities shall be performed in this bid for the protection of public health from direct contact and to enhance natural attenuation. Bidders should be prepared to use a field screening instrument (PID) to help guide in determining the extent of both excavations and collecting appropriate sidewall and bottom samples.

Excavation Area #1: Assume excavation and dispose of contaminated soils (0-6 feet bgs) in the former AST area surrounding soil borings GP-1, GP-10, B4, B8, and soil grab samples S6, S102, S104 should be performed. In addition, the highly contaminated soils present at depth from 6 - 15 ft. bgs encompassing soil borings GP-1, B4, and B8 is assumed to be removed to assist natural attenuation of the GW contamination plume. (See attached map for soil sample/boring locations, approximate excavation boundaries and depths) For the purposes of this bid the amount of soil removed and disposed from this area is expected to be about 1800 tons (using 1.5 tons

per cubic yard conversion factor). Approximately 240 cubic yards of clean backfill in upper 16 in. and 4 ft. bgs from the May 2001 excavation activities shall be segregated and properly stockpiled for use as backfill, unless there is obvious contamination present.

Excavation Area #2: Excavate and dispose of highly contaminated soils from the former UST area. The assumed area of contaminated soil that shall be excavated includes tank closure samples S-2, S-3, S-4 and soil boring B300. (See attached map for soil sample/boring locations, approximate excavation boundaries and depths) For the purposes of this bid the amount of soil removed and disposed is expected to be about 240 tons (using 1.5 tons per cubic yard conversion factor). Approximately 160 cubic yards of clean surface soil and backfill from the September 28, 1999 tank removal activities shall be segregated properly and stockpiled for use as backfill, unless there is obvious contamination present.

Bidders must include on page 2 of their bid response, a per cubic yard unit cost for excavating, stockpiling and backfilling overburden soil (commodity cost only) to be used to adjust the cap in the event that significantly more or less soil overburden is generated.

An appropriate number of post-excavation soil confirmation samples shall be collected and analyzed for the presence of petroleum volatile organic compounds (PVOCs) plus naphthalene. Half of the samples collected shall also be analyzed for the presence of polycyclic aromatic hydrocarbons (PAHs). Demonstration of compliance with the requirements of ch. NR 720, Wisconsin Administrative Code (generic RCL's, site specific RCL's and/or performance standard) must be completed prior to closure.

Please note the sloping requirements necessary to perform the excavations as based on soil type are to be determined by the bidders. Commerce is requesting the bidders excavate as deep as possible in both excavation areas down to a maximum depth of 15 ft. as noted above without the need for dewatering. In addition, bidders must include on page 2 of their bid response, a per ton unit disposal cost (commodity cost only) to be used to adjust the cap in the event that significantly more or less soil is actually disposed.

Soil disposal and replacement of the contaminated material must be conducted in accordance with Wis. Adm. Code s. NR718 and the excavation must be properly backfilled to grade using the clean soils segregated during the excavation activities and appropriate imported fill material. Soil replaced shall be backfilled with material similar to that removed therefore 0-6 ft. bgs shall be fine-grain fill (silt- and/or clay-rich sediments).

The cost to fulfill all landfill requirements for waste characterization analysis prior to soil disposal must also be included. Be aware that Toxicity Characteristic Leaching Procedure (TCLP) documentation and sampling requirements vary depending on the landfill. Therefore, bidders must include a line-item cost for TCLP sample collection and analysis, to be used if required.

Prior to starting remedial excavation activities groundwater monitoring wells NETI-18 and NETI-21 must be properly abandoned. Therefore, bidders must include costs for abandonment and replacement of two NR 141 Wisconsin Administrative Code monitoring wells NETI-18 and NETI-21 with this bid. The Monitoring well depths are 18 ft. with a 2 inch-diameter casing.

Groundwater monitoring shall be conducted for 12 months in accordance with the following schedule (a total of 4 sampling rounds):

Wells	Frequency	Parameters
NETI-14, NETI-15, NETI-16, NETI-17, NETI-18 (replacement), NETI-19, NETI-20, NETI-21(replacement), NETI-22	Quarterly	PVOCs plus naphthalene

Note: Since monitoring well NETI-14 is the same well as Bill's Service Station's monitoring well MW-4. The bidder only needs to sample this well and NETI-22 in accordance with the Bill's Service Station bid and include the monitoring results with the final report.

Groundwater elevations must be measured from monitoring wells NETI-14 (Bill's MW-4), NETI-15, NETI-16, NETI-17, NETI-18(replacement), NETI-19, NETI-20, NETI-21(replacement) and NETI-22 during each sampling event and depict the results on a groundwater flow diagram.

Any waste generated during the work scope activities will need to be disposed of properly. Associated disposal costs must be included on page 2 of the bid response for each activity.

Reporting: In addition to the specific electronic reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site as listed below the contracted consulting firm must submit a final report evaluating all excavation and monitoring results to Commerce in combination with the Bill's Service Station site (BRRTS# 03-24-000136, Commerce #53581-2801-10).

While this bid is not a bid to closure, there is a possibility of attaining closure at the conclusion of the work scope conducted under this bid or at anytime prior if stable or decreasing trends are evident closure. If closure is appropriate, a recommendation for closure should be provided in the report. If the project manager concurs with this recommendation, prepare and submit a complete closure report and GIS Registry packet (consistent with ch. NR 726, Wis. Adm. Code requirements) for closure consideration. For the purposes of the bid, bidders must provide a separate contingency cost line item for closure-related costs (including, but not limited to final well abandonment costs, closure form and narrative, GIS packet, deed restriction and maintenance plan) in their bid response. Commerce will modify the bid cap for the closure-related contingency cost, per the cost provided on the 2nd page of the Bid Response.

Bidders shall provide line item costs for all the activities listed above in the table provided on the 2nd Page of the Bid Response.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to

complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance

assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.

4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required

in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE

(1st Page)

Department of Commerce PECFA Program

SITE NAME: Broadbent Oil

COMMERCE #: 53581-0674-77

BRRTS #: 03-53-000536

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2760 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE**(2nd Page)**

Department of Commerce PECFA Program

SITE NAME: Broadbent Oil**COMMERCE #: 53581-0674-77****BRRTS #: 03-53-000536****Consulting Firm Name:** _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Soil removal and disposal cost estimate for both excavations totaling 2040 tons (1.5 tons per cubic yard conversion factor)	\$
2	Cost estimate for excavating and stockpiling overburden approximately 400 cubic yards of soil	\$
3	Excavation soil sampling analytical costs, including a QA/QC sample	\$
4	Cost for abandonment of monitoring wells NETI-18 and NETI-21	\$
5	Install two replacement monitoring wells	\$
6	Monitoring (include analytical cost) per event	\$
7	Number of monitoring events	4
8	Monitoring subtotal (Row 7 X Row 8)	\$
9	Documentation (reports, correspondence, etc.)	\$
10	PECFA Claim Preparation	\$
11	Other (If necessary), specify	\$
12	Total Bid Amount	\$
CONTINGENCY COSTS (Will be Approved and Added to the Bid Cap as Needed)		
•	Contingency soil removal and disposal unit cost (\$/per ton)	\$
•	Contingency soil overburden unit cost (\$/per cubic yard)	\$

•	Collection and Analysis of TCLP Soil Samples for Landfill Disposal	\$	
•	Contingency cost for all closure-related costs (lump sum), including but not limited to case summary and closeout form and report, GIS Registry requirements, appropriate notification to the public, and well abandonment costs (and includes per diem and mileage).	\$	